



THE CITY OF NEW YORK
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March 2, 2018

BY ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Denise Dollard, et al. v. City of New York, et al., 16-cv-2529 (LDH) (CLP)

Your Honor:

I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, counsel for defendants The City of New York, Russell Kenton and Peter Fortune in the above-referenced action. I write, jointly with all counsel, pursuant to Your Honor's February 2, 2018, Order, to advise the Court regarding the status of this matter. With the exception of one outstanding matter, discussed further below, discovery in this matter is complete.

The parties have completed all remaining depositions. Document discovery is also complete, save for one outstanding matter. Specifically, plaintiff has requested audio and/or a transcript of the 911 call placed by a non-party prior to the alleged incident underlying plaintiffs' complaint in this matter, or, if the audio is no longer available, a statement as to when the audio was destroyed.¹ This Office is looking into this matter and has agreed to provide this information to counsel upon receipt. The parties are in agreement that the 911 audio, if

¹ Defendants note that the Sprint report reflecting the 911 call has already been produced; therefore, the contents of the call (though not a verbatim transcript) are already in the record.

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available, would not affect any issues pertinent to any summary judgment motions and therefore need not hold up dispositive motion practice.

The parties thank the Court for its time and consideration herein.

Respectfully submitted,

/s/

Ashley Garman

Senior Counsel

Special Federal Litigation Division

cc: All counsel (**BY ECF**)